

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Civil Case No. 2:11-cv-12196
Criminal Case No. 2:09-cr-20627

v.

HON. GEORGE CARAM STEEH

ANDRE WALKER,

Defendant.

_____ /

ORDER DENYING MOTION FOR SUMMARY/DEFAULT JUDGMENT[#38]

On May 19, 2011, defendant, Andre Walker, filed a motion to vacate, set aside, or correct sentence pursuant to 28 U.S.C. § 2255. On May 26, 2011, the court ordered the government to file a response to defendant's § 2255 motion on or before August 26, 2011. On August 8, 2011, the government filed a motion for additional time to respond to defendant's § 2255 motion. See Dkt. # 36. The court granted the government's request and ordered the government to file its response to defendant's § 2255 motion by October 25, 2011. See Dkt. #37.

It appears that defendant may not have received docket entries numbered thirty-six (36) and thirty-seven (37) as he argues in his present motion that the government has failed to timely respond to his § 2255 motion. Therefore, the court includes copies of these documents along with this order. The government has not failed to timely respond to his § 2255 motion, as the response is now due on October 25, 2011. Defendant is not entitled to the relief he requests.

Accordingly,

Defendant's motion for summary/default judgment is DENIED.

Dated: September 29, 2011

S/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on September 29, 2011, by electronic and/or ordinary mail and also to Andre Walker at FCI Elkton, P.O. Box 10, Lisbon, OH 44432.

S/Josephine Chaffee
Deputy Clerk